UNITED NATIONS STAFF UNION

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SECRETARY-GENERAL MEETS WITH STAFF COMMITTEE

The Secretary-General had his first meeting with the staff representatives on 2 March 1992. On that occasion they presented him with the attached paper setting forth many of the staff's concerns.

STAFF COMMITTEE BULLETIN

92-10379

2 March 1992

STAFF COMMITTEE PRESENTATION TO THE SECRETARY-GENERAL

Mr. Secretary-General,

We thank you for your statement to the assembled staff on 22 January, in which you touched upon many of our concerns.

SECURITY AND INDEPENDENCE

We were gratified that you began by addressing our safety and security. Now that the Organization is becoming increasingly operational, and given the suffering that has been endured by so many of our colleagues in illegal detention, and the assassination of others, the staff hope you can persuade all governments to respect our rights as international civil servants and to work for the release of those of us who have been deprived of our freedom and for an end to violations of our fundamental human rights.

Of great importance is the smooth reintegration into the service of staff members following their release by their captors. This is an area in which we have experienced difficulty. Some staff members have been kept floating in the Organization following their release, which has of course caused them additional unnecessary suffering. Some have been obliged to seek justice through our judicial system, and others, having lost hope of regaining their place in the Organization, have resigned. We believe that colleagues who have suffered abuses of their human rights, and whose families have endured years of separation, should be smoothly reintegrated into the service and promptly regain their rightful place within it. We also believe that the families of detained or missing staff should be given generous assistance.

In our letter to you of 5 February we requested the establishment of an official board of inquiry to investigate the deaths of staff members serving anywhere in the world. We hope this request meets with your approval and that such a board can be established promptly.

At last year's security meeting in Geneva, attended by all agencies, the Security Handbook was finalized. It was later approved by CCAQ and endorsed by ACC. The staff had long been pressing for this. We attach great importance to the guidelines set out therein and their immediate implementation in all emergency situations; the staff must be confident that standard procedures are in place for their protection in every country in which they are called upon to serve the Organization.

We request that the Secretary-General's Task Force on the Independence and Security of the International Civil Service forthwith have regular meetings so that your representatives and ours can promptly and effectively address any situations that may arise and keep under review the many aspects of the independence and security of the Organization. In this regard it is essential that the list of staff members whose legal and human rights have been violated be updated more frequently and with regularity, with copies being provided to the Staff Committee.

RESTRUCTURING AND STREAMLINING OF THE ORGANIZATION

The staff have noted the changes in the Secretariat you have announced. The reorganization of offices and departments will have a profound effect upon the staff. This is an area in which staff-management consultations assume particular importance. We urgently request staff involvement in the consideration of the restructuring and streamlining of the Organization. Given the staff's day-to-day experience in the functioning of the Secretariat, we have a thorough knowledge of the workings of the house and can make a valuable contribution. At times of vast change, it is, we submit, essential that our views and suggestions be taken into account.

We therefore urge full staff-management consultations in the process you have initiated, and, as in all other areas, we assure you of our complete co-operation. We request you to instruct department heads to meet with staff representatives for full discussions on envisaged changes.

CO-ORDINATING COMMITTEE FOR INDEPENDENT STAFF UNIONS AND ASSOCIATIONS OF THE UNITED NATIONS (CCISUA)

We are happy to report that in the last year CCISUA's membership has been increased by two agencies, ECLAC and UNHCR. And we have learned that the Vienna staff have by an overwhelming majority decided to seek membership of CCISUA, which means that it will represent the entire Secretariat. It thus has an indispensable role to play in the consultative process.

OFFICE SPACE FOR STAFF REPRESENTATION

Last year your predecessor agreed to the establishment of a secretariat for CCISUA. Unfortunately, in New York CCISUA has a serious problem in that it has not yet been provided with office space. This prevents it from operating at full efficiency at a time when the conditions of service of all categories of staff are causing deep concern among the staff system-wide. It is essential that staff representatives be able to prepare their positions and co-ordinate among themselves prior to their going before bodies at which their conditions of service are determined. At present, in New York the CCISUA research officer must work in a corner of the Staff Committee office, cramped between a photocopier and a fax machine. There is no room for the research assistant agreed upon last year. CCISUA has clearly demonstrated its seriousness of purpose in representing its membership and its desire to

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co-operate in ensuring the smooth functioning of the Organization. It should, we submit, be given facilities that are appropriate to its importance in staff-management relations. Your co-operation in this regard would be greatly appreciated.

A similar problem is faced by the Staff Council's Committee on the Security and Independence of the International Civil Service, whose work is all the more crucial now that so many staff members are likely to be sent to serve in emergency situations. The room that was used by that Committee in the DC-1 building is being taken away from it because of construction. Given the importance you attach to the security of the staff, we trust you will act to ensure that space and the necessary facilities are made available to the Committee so that it can function at full efficiency.

ALLEGATIONS OF SEXUAL HARASSMENT

As in the outside world, within the Organization attention is being drawn to the question of sexual harassment. This kind of conduct, which often involves abuse of authority, should have no place in any organization, least of all the United Nations, and the time has come to confront this problem unflinchingly and determine the extent to which it exists here. It is therefore reassuring that three informal OHRM advisory groups have this question under active consideration. We trust that their recommendations will be reviewed by the staff-management machinery and the resultant legislation will be uniformly applied. One of those groups is considering the definition of sexual harassment, which is of course difficult in a multi-cultural organization. The grosser kinds of such behaviour are easy to define, but the fact is that some actions or remarks that may be acceptable to some are regarded as harassment by others. Regardless of our backgrounds, we must all be sensitive to the feelings of others. In the interests of accuser and accused alike, allegations of sexual harassment should, regardless of the ranks of those involved, be investigated equitably and without delay, and proven cases dealt with accordingly.

PLACEMENT AND PROMOTION

In a letter to you dated 27 January we expressed our concern at the continued posting of vacancies under the now defunct vacancy management system, which is causing confusion among the staff. In our letter we pointed out that ST/AI/373 states that "the circulation of vacancies under the vacancy management and staff deployment system will cease upon issuance of this instruction" - that is, 23 December. We therefore requested that all announcements pertaining to vacancies that occurred after that date be rescinded. The continued posting of vacancies is creating among the staff the impression that the administration is hanging on to the vacancy management system. We therefore again request that the posting of vacancies be ended and that any that may not have been "in the pipeline" before the 23 December deadline be rescinded. We also request a list of such vacancies.

The staff of the General Service and related categories have not had a promotion review since 1985-1986; the Professional and higher categories have not had one since 1987. We therefore trust that all vacant posts and foreseeable vacancies will be used for the 1992 promotion review.

After so many years of enduring the emergency arrangement known as vacancy management, we trust that the promotion review, conducted grade by grade, in accordance with staff rule 104.14, will achieve the goal of providing career development for all staff. We hope that in the restructuring you are proposing - concerning which, we must note, the staff has not been able to give any input - the promotion system set forth in ST/SGB/246 and ST/AI/373 will be implemented fully and equitably.

SUPPLEMENTARY PAYMENTS

We were glad to learn from your statement to the staff that you share our feelings concerning supplementary payments. The subsidizing of staff members by their Governments is clearly incompatible with the principles governing this house. By this practice, certain Governments single out their nationals for special treatment, putting the rest of us at a disadvantage. This is just as unacceptable as Governments imposing inferior treatment on their nationals. What is particularly interesting here is that by and large the Governments who extend this special treatment to their nationals are the very ones that claim we are overpaid.

A system that exists to promote human rights cannot tolerate any practice that promotes inequality. All international civil servants should be treated equally. Special treatment to induce nationals to join the service says a great deal about the ability of present salaries and emoluments to attract new recruits that meet the requirements of the Organization.

VESTIGES OF PSEUDO-SECONDMENT

We regret to note that in the aftermath of the collapse of pseudo-secondment some undesirable practices are being followed.

We had hoped that as a result of Tribunal Judgement 482 all nationalities would be treated alike as to contractual status. Unfortunately that is not the case.

For instance, staff members of certain nationalities must serve for five years before qualifying for consideration for career appointments, while the rest of us qualify after two years of probationary service. They also are required to meet higher standards than staff performing identical functions in other languages. As a result, some competent staff members, who, were they of another nationality, would have been kept in service, are being denied extensions, and as a result many appeals are now overburdening the judicial mechanisms of the house. It seems this situation has in large measure been brought about by supervisory staff who wish to make room for candidates of their own choosing. We have reason to believe that in the process the Performance Evaluation Reports of certain staff members have been downgraded.

We also understand that retribution is being imposed on staff members in the form, for instance, of denial of passports to their nationals who have dared to resort to the appeals process to secure their rights.

We urge you, Sir, to order an investigation into the unequal and inequitable treatment of staff members of certain nationalities.

ADMINISTRATION OF JUSTICE

The United Nations, which enjoys legal immunity from the jurisdiction of governments, has developed its own internal justice system, which is supposed to provide staff with adequate redress when they believe they have been wronged by the Organization - sometimes grievously, with life-long consequences. Although we would like to reserve our comments on many aspects of the system until later, some problems stand out as being particularly serious.

For example, while staff are precluded from using outside counsel for internal procedures below the level of the Administrative Tribunal, they encounter tremendous obstacles in finding competent counsel internally. The Co-ordinator and many members of the Panel of Council do their best, but in these times of retrenchment, increasing work-load and dramatic changes in certain past procedures - e.g. "secondment" and vacancy management - it is impossible for the system to handle cases adequately.

It is commonly recognized by both the staff and administration that inadequate and inaccurate counselling clouds the issues involved and causes unwarranted delays in the administration of justice and a waste of resources for the Organization. It also results in great frustration among staff members whose day in court cannot be adequately guaranteed.

To provide adequate counselling, the Coordinator should be assigned at least <u>one full-time counsel</u> until the serious case over-load of the Panel is reduced to a level manageable for a volunteer panel whose members have demanding full-time jobs. The full-time counsel should be designated by joint agreement among the administration, the Co-ordinator and Steering Committee of the Panel of Counsel and the Staff Union to ensure that it is clear that staff interests are being adequately defended. As the staff is precluded from any other judicial remedy, it is imperative that the administration provide a real possibility for staff to adjudicate their disputes (and sometimes to defend themselves) with the help of counsel who are both competent and available -- after all, the administration is always represented by well-trained Professional staff to ensure the defense of its own interests. The provision of adequate counsel from the outset would go far in indicating that the administration's commitment to in-house fair play is more than just lip service. It is also essential that the Panel be adequately staffed.

In the interests of transparency, and to assist staff members in acquainting themselves with the existing procedures and options available to them to vindicate their rights, we would request that information circular

ST/IC/82/7 of 3 February 1982 on "Internal Recourse Procedures" be updated and reissued. The reissuance of the circular after ten years would be particularly appropriate at this juncture, and would reaffirm the Organization's commitment to the rights of its own staff.

The staff would also like to emphasize the importance of respecting the unanimous recommendations of Joint Appeals Board panels. Such recommendations should only be rejected if there is a danger of different treatment for similar cases, or if there are truly compelling reasons of fact or law.

PROFESSIONAL CATEGORY

At its forty-sixth session, on the basis of a recommendation by the International Civil Service Commission, the General Assembly adopted a system of what amounts to a policy of post-adjustment freezes. Apart from being unjust to the staff, this puts pressure on the system by accentuating the overlap between the Professional and General Service categories, which leads to calls for the reduction of General Service salaries when in fact this should be remedied by restoring Professional salaries to appropriate levels. Continued freezes of post adjustment do an injustice to both categories.

GENERAL SERVICE AND RELATED CATEGORIES

The methodologies for determining the salaries and pensions of the General Service and related categories are currently under review, and the results will be presented to the General Assembly at its forty-seventh session.

All the options now being considered by the ICSC for the determination of GS pensionable remuneration would lead to substantial cuts in pension benefits, which is, as we have said, totally unacceptable to the staff. The staff have every reason to fear that the same approach will be taken vis-à-vis the salaries of the General Service and related categories, though, even as things stand, at the lower levels of those categories salaries are insufficient to sustain a decent standard of living.

In order to attract and retain staff of the highest standard of competence, as required by the Charter, and in order not to further reduce the standard of living of a half of the Secretariat staff, it is essential that GS salaries and pensions be protected. Salaries and benefits must be at a level capable of attracting people having the right experience and expertise. This must be brought home to all concerned.

Mr. Secretary-General, under the Staff Rules and Regulations you have responsibility for the determination of the conditions of service of the General Service and related categories. We therefore trust you will protect the members of those categories against the current threats to their emoluments and pension benefits.

UNIFIED PERSONNEL STRUCTURE

The comprehensive development of human resources is impossible so long as the staff is divided into watertight categories. The G-to-P examination is completely inadequate in this regard. The staff have long advocated a return to a unified personnel structure, free of artificial obstacles to vertical movement and based on criteria set forth in the Charter and the Staff Rules and Regulations - not on the level at which individuals were originally recruited.

The present evaluative nomenclature gives the impression - especially unfortunate in this Organization - that some staff members are more important than others. Nomenclature such as "professional" and "general service" should be abandoned. In the Joint Advisory Committee's Working Group on this issue, the Administration has stated it would have no objection to this. We therefore hope that under your stewardship a non-evaluative nomenclature will be adopted as a first step in that direction.

The administration should explore ways and means, including the hiring of a consultant, to end the present divisory system of categories, which results in a lack of incentives for hundreds of staff members who cannot expect promotion because of the artificial division of the staff. Avenues for promotion should be developed within the framework of the comprehensive career development system now under consideration. As another important step towards a unified personnel structure, all dependency allowances should be treated as social benefits and consequently set at the same level for all staff serving at the same duty station. We hope that the SMCC working group scheduled to meet soon will make concrete proposals for action.

DUTY STATIONS AWAY FROM HEADQUARTERS

We wish to draw your attention to the need to give special consideration to problems at field duty stations. Being away from Headquarters, staff members there sometimes find themselves isolated and unable to resolve their problems. The situations at ESCWA, UNHCR, ECLAC and ECA headquarters warrant urgent consideration, including the establishment of task forces to look into them. The report of the seventh CCISUA assembly highlights some of the problems at these duty stations.

STATUS OF WOMEN IN THE SECRETARIAT

For years the women of the Secretariat have been waiting for the fulfillment of promises of equitable representation within the Secretariat, particularly at the policy-making levels, P-5 and above. The recommendations of the Steering Committee on the Status of Women, which have long been lying dormant, should be given urgent consideration. The questions of recruitment and retention, career development and equal promotion opportunities are of particular importance. The house is committed to women having 35 per cent representation by 1995. A plan of action that can be implemented without delay is sorely needed.

The status of women in the Secretariat has an interesting twist in the sense that while at the professional level women are under-represented, at the General Service level representation is not the issue; rather, it is mobility and career development. A case in point is the secretarial occupation, which should be designed so as to give its members real career opportunities, particularly in the light of technological innovations and the skills many of them have acquired, which could be put to good use in the Organization. Given the prejudicial treatment that secretaries have received due to problems in the implementation of the classification exercise, the present stagnation in the secretarial occupation should be urgently addressed, as should other similar problems in other occupational groups that result in frustration and consequent low morale. We are therefore pleased that in the Joint Advisory Committee agreement has been reached on the establishment of a working group on the secretarial occupation. We trust that this group can begin working without delay and come up with proposals for real career opportunities for this long neglected section of the staff.

More generally, we hope that the deliberations of the ICSC Working Group on the Improvement of the Status of Women will be successful in developing proposals to improve their status system-wide.

CONCLUSION

Given the new world recognition of the importance of the United Nations, we hope the Organization is now entering a new phase marked by reduced bureaucracy, de-politicization and freedom from governmental interference. We hope too that all Member States will honour their financial obligations to the United Nations so that it can at all times be fully operational and ready to meet whatever challenges may face it, however great they may be.